

BID

TO THE SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

FOR BART EARTHQUAKE SAFETY PROGRAM OAKLAND SHOPS SPUR TRACK
CONTRACT NO. 09AU-130.

Name of Bidder Shimmick Construction Company, Inc.

Business Address 8201 Edgewater Drive, Suite 202, Oakland, CA 94621

Address where notification should be sent Same as above

Business office number (510) 777-5000 facsimile (Fax) number (510) 777-5099

Email address jhelmick@shimmick.com (where notification should be sent).

Please indicate how you found out about this contract: (check all that apply)

☐ Through newspaper advertisement

☐ Through BART web site

☐ Through one of the plan rooms

☒ Through advance notice to Bidders

☐ Other ()

The Work to be done is located in the County of Alameda, State of California, and is to be done in accordance with the Contract Document which include the Contract Drawings and the referenced sections of BART Facilities Standards, Standard Specifications, Release R3.0.2, dated January 2015, and the Contract Book incorporating the General Conditions, Supplementary Conditions, Contract Specifications, and other documents as listed therein.

The undersigned, as Bidder, declares that the only person or parties interested in this Bid as principals are those named herein; that this Bid is made without collusion with any other person, firm or corporation; that the undersigned has carefully examined the location of the proposed Work, the annexed proposed form of Contract, and the Contract Documents therein referred to; and the undersigned proposes and agrees, if this Bid is accepted, that the undersigned will contract with the San Francisco Bay Area Rapid Transit District, in the form of the copy of the Contract annexed hereto, to provide all necessary labor, machinery, tools, apparatus, and other means of construction, and to do all the Work and provide all the materials specified in the Contract, in the manner and time therein prescribed, and according to the requirements of the Engineer as therein set forth, and that the undersigned will take in full payment therefor the following prices:

BID SCHEDULE

ITEM	SPEC SEC	DESCRIPTION OF ITEM	UNIT	EST QTY	UNIT PRICE	ITEM TOTAL
1	01 57 00	Traffic Maintenance and Control	LS	1	\$XXXXXX	\$150,000
2	01 71 13	Mobilization (Note: See Contract Specifications Section 01 71 13 for limitations regarding payment of the bid price amount for Mobilization)	LS	1	\$XXXXXX	722,000 \$789,000 (CF)
3	02 41 00	Demolition	LS	1	\$XXXXXX	\$500,000
4	02 61 00	Handling and Disposal of Hazardous Materials (Class I Landfill)	CY	30	\$500.00	\$15,000
5	02 61 00	Handling and Disposal of Contaminated Materials (Class II Landfill)	CY	4190	\$65.00	\$272,350
6	03 20 00	Concrete Reinforcing	LB	27,000	\$2.00	\$54,000
7	03 30 00	Cast-in-Place Concrete	CY	360	\$900.00	\$324,000
8	05 51 00	Construct Metal Stairs	LS	1	\$XXXXXX	\$40,000
9	20 10 13	Relocation of PG&E Gas Piping	LS	1	\$XXXXXX	\$100,000
10	20 70 26 34 24 13 26 50 00	All Electrical Work	LS	1	\$XXXXXX	\$1,600,000
11	31 00 00	Structure Excavation	CY	940	\$100.00	\$94,000
12	31 00 00	Structure Backfill	CY	310	\$47.00	\$14,570
13	31 00 00	Common Excavation	CY	4140	\$55.00	\$227,700
14	31 00 00	Common Backfill	CY	860	\$30.00	\$25,800
15	31 63 29	Light Pole Foundation (Including Concrete and Reinforcing)	LS	1	\$XXXXXX	\$60,000
16	32 11 17	Aggregate Subbase Courses	CY	910	\$75.00	\$68,250
17	32 11 23	Aggregate Base Courses	CY	2060	\$72.00	\$148,320
18	32 12 16	Asphalt Paving	TON	1800	\$168.00	\$302,400
19	32 12 16	Slurry Seal	SY	9150	\$12.00	\$109,800
20	32 16 21	Concrete Curbs, Gutters, and Walks	LS	1	\$XXXXXX	\$50,000
21	32 17 23	Signing and Striping	LS	1	\$XXXXXX	\$40,000

ITEM	SPEC SEC	DESCRIPTION OF ITEM	UNIT	EST QTY	UNIT PRICE	ITEM TOTAL
22	32 31 13	Chain Link Fence and Gates	LS	1	\$XXXXXX	\$ <u>175,000</u>
23	32 32 43	Construct Soldier Pile Wall	LS	1	\$XXXXXX	\$ <u>200,000</u>
24	32 84 00 32 90 00	Bioretention Areas	LS	1	\$XXXXXX	\$ <u>100,000</u>
25	33 05 25	Support and Protection of Utilities	LS	1	\$XXXXXX	\$ <u>60,000</u>
26	33 11 00	Water Utility Distribution Piping	LS	1	\$XXXXXX	\$ <u>300,000</u>
27	33 31 00	Sanitary Utility Sewerage Piping	LS	1	\$XXXXXX	\$ <u>120,000</u>
28	33 40 00	Storm Drainage Utilities 15-in. Dia. and Smaller	LS	1	\$XXXXXX	\$ <u>200,000</u>
29	34 05 17 34 11 23 34 11 25 34 11 27 34 11 33 34 11 93	Track Work	LS	1	\$XXXXXX	\$ <u>760,000</u>
30	34 05 42 34 42 16 34 42 25	Train Control Modifications Work	LS	1	\$XXXXXX	\$ <u>200,000</u>
31	13 12 10	Weld Shop and Related Equipment	LS	1	\$XXXXXX	\$ <u>200,000</u>
32	01 20 00	Allowance for Partnering	ALLOW	1	\$20,000	\$20,000
33	01 20 00	Allowance for Operating System Access Delays	ALLOW	1	\$150,000	\$150,000
34	01 20 00	Allowance for Differing Site Conditions	ALLOW	1	\$500,000	\$500,000
TOTAL AMOUNT BID (ITEMS 1 THROUGH 34 INCLUSIVE)					\$ <u>7,970,190 7,903,190</u>	

The above item totals for all Bid Items 1 THROUGH 34 are submitted by the Bidder for the convenience of the District. In the event of a discrepancy between the Bid unit price and the amount entered in the item total column, the Bid unit price shall govern. The District will calculate the total Bid Price based on the unit prices or lump sum prices bid, as applicable. In the event of a discrepancy between the District's calculations and the item totals for all Bid Items as submitted by the Bidder, the District's calculations shall govern.

The District reserves the right, in its sole discretion, to make no Award, or to make an Award to the lowest responsible Bidder as determined by adjusting the Bid Price for Bidders that are eligible for the Small Business Program preference as described in the Instructions to Bidders Paragraph 14.B.1.

FOR A BID TO BE CONSIDERED, ALL ITEMS MUST BE BID.

THE DISTRICT RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS.

If this Bid shall be accepted and the undersigned shall fail to contract as aforesaid and to give the two bonds in the sums to be determined as specified, with surety satisfactory to the District, or comply with the District's insurance requirements within ten (10) Days after the Bidder has received notice from the District that the Contract has been awarded, unless the District, in its discretion, allows additional time in writing for such submissions, the District may, at its option, determine that the Bidder has abandoned the Contract; thereupon this Bid and the acceptance thereof shall

be null and void, and the forfeiture of such security accompanying this Bid shall occur and the same shall be the property of the District.

Accompanying this Bid is (1) Bidder's Bond in an amount equal to at least ten percent (10%) of the total Bid Price.

Receipt of the following attached Addenda is hereby acknowledged:

Addenda numbers 1, 2

The Bidder, Shimmick Construction Company, Inc.
(name),

hereby certifies that:

(A) Bidder is aware of the provisions of Supplementary Conditions Article SC7.1 regarding the District's Non-Discrimination Program for Subcontracting for the Contract and the requirements for submission therefor; and

(B) Bidder has read the Contract Book, understands its requirements, including those for keeping records, and has asked for explanations of anything it did not understand.

(2) Bidder holds California Contractor's license No. 594575, Classification C51, HAZ, A, B, C10, C13, The license expiration date is 5/31/18. Bidder's current DIR Contractor's Registration Number is 1000001063. If the Bidder is a joint venture, list the California Contractor's license numbers, classifications and expiration dates and Contractor's DIR Registration Numbers for each joint-venturer as follows:

(3)	Name of Joint Venturer	Contractor's License	Classification	Expiration Date	DIR Contractor's Registration
A.	_____	_____	_____	_____	_____
B.	_____	_____	_____	_____	_____
C.	_____	_____	_____	_____	_____

Failure to provide any joint venturer's information as required above may render the Bid non-responsive.

Bidder declares under penalty of perjury that the foregoing is true and correct.

Shimmick Construction Company, Inc.

(4) Name of Bidder

Christian P. Fassari

(4) Signature of Bidder

(5)

(6) Christian Fassari, Executive Vice President

Print Name and Title of Person Signing

Dated August 9, 2016.

NOTES:

- (1) Insert the words "cash," "cashier's check," "certified check," or "Bidder's Bond," as the case may be.
- (2) If the Bidder is joint venture the Bidder may submit its valid State Contractor's license number, classification and expiration date with the Bid, but shall submit such information no later than 2:00 p.m. on Friday of the week following the date of Bid opening to the Contract Administrator at the address indicated in the Instructions to Bidders.
- (3) If the joint venture consists of more than three joint ventures, add additional lines as needed.
- (4) If the Bidder is a joint venture, the name of the Bidder and the signature shall match the name of the joint venture and the signature as provided in the joint venture agreement and conform with the requirements in the Instructions to Bidders.
- (5) If the Bidder in its Bid furnished anything not called for by these Contract Documents (a cover letter, Bidder's own form, or a notation on the Bid Form not called for by this form, for example), the Bidder is cautioned that it runs the risk that it has submitted a Bid which does not conform to the District's Contract Documents, and therefore must be rejected.
- (6) Bids shall be presented under sealed cover as provided in the Instructions to Bidders.



WARNING!!! ALL SMALL BUSINESS BIDDERS THAT SEEK TO BE ELIGIBLE FOR THE SMALL BUSINESS PREFERENCE AS DESCRIBED IN PARAGRAPH 7.1 OF THE INSTRUCTIONS TO BIDDERS SHALL COMPLETE THE FOLLOWING DECLARATION:

DECLARATION OF ELIGIBILITY FOR SMALL BUSINESS PREFERENCE

IN ORDER FOR BIDDER TO BE ELIGIBLE FOR THE SMALL BUSINESS PREFERENCE, BIDDER,
_____, HEREBY CERTIFIES THAT IT IS
[Enter Name of Proposer]

CURRENTLY CERTIFIED AS A SMALL BUSINESS BY THE CALIFORNIA DEPARTMENT OF GENERAL
SERVICES (DGS), CERTIFICATION NO. _____.

BY SUBMISSION OF ITS BID, THE ABOVE-REFERENCED SMALL BUSINESS BIDDER HEREBY CONFIRMS
THAT IT MEETS ALL OF THE DGS ELIGIBILITY REQUIREMENTS TO QUALIFY AS A SMALL BUSINESS.

DESIGNATION OF SUBCONTRACTORS AND M/WBE PARTICIPATION FORM

To comply with the requirements of the California Subletting and Subcontracting Fair Practices Act (California Public Contract Code Section 4100 et seq.), Bidder shall list in Part I of this form the name and address of each Subcontractor to whom Bidder proposes to subcontract more than ½ of 1% of the Work, description of portion of work or services subcontracted, total dollar amount of the portions of the work or services subcontracted, whether the Subcontractor is an MBE or WBE or both, and the California Contractor license number of the Subcontractor. An inadvertent error in listing a Subcontractor's California contractor license number may be corrected by Bidder within twenty four (24) hours after the Bid opening provided the corrected contractor's license corresponds to the submitted name and location for that Subcontractor. The above list of information shall be submitted with the Bid. Other information required in Part I herein may be submitted up to 24 hours after the designated time to submit the Bid. Bidder's attention is directed to Article GC5.7.1 of the General Conditions.

In addition, in Part II of this form list all MBEs and WBEs not subject to the requirements of General Conditions Article GC5.7.1.

Pursuant to Sections 1725.5 and 1771.1 of the State Labor Code, all Contractors and Subcontractors must be registered with the California Department of Industrial Relations (DIR) in order to be qualified to bid on this Contract or to be listed as a Subcontractor. An inadvertent error in listing a Subcontractor who is not registered pursuant to Section 1725.5 in a Bid, may be corrected by the Bidder within twenty four (24) hours after the Bid opening if the Subcontractor registers and pays the penalty registration fee described in Section 1725.5 of the State Labor Code. Alternatively, the Subcontractor may be replaced with a registered Subcontractor pursuant to Section 4107 of the Public Contract Code.

If a firm is owned and controlled by a Minority Woman or Minority Women, then the firm may be counted towards meeting both the MBE and WBE Availability Percentages. Accordingly, both MBE and WBE boxes should be checked.

Attach additional copies of this form if more space is needed and paginate the forms (i.e., Page 1 of 9)

Name and Address	MBE (Check if MBE)	WBE (Check if WBE)	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
I. All Subcontractors (MBEs, WBEs and Non-MBEs and Non-WBEs) subject to the requirements of General Conditions Article GC5.7.1				
Name: <u>Shepard Steel</u> Address: <u>320 Victory Ave.</u> <u>So. San Francisco, CA 94080</u> California Contractor License No. <u>698120</u> DIR Contractor Registration No. <u>1000000139</u> Phone Number: <u>650-873-4040</u> Age of Firm: _____ Annual Gross Receipts as of last Tax Year: \$ _____			Rebar	65,000

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Name and Address	MBE (Check if MBE)	WBE (Check if WBE)	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
I. All Subcontractors (MBEs, WBEs and Non-MBEs and Non-WBEs) subject to the requirements of General Conditions Article GC5.7.1				
Name: <u>North American Fence and Rail</u> Address: <u>7677 Oakport St. #1140</u> <u>Oakland, CA 94621</u> California Contractor License No. <u>961501</u> DIR Contractor Registration No. <u>1000006370</u> Phone Number: <u>510-436-0755</u> Age of Firm: _____ Annual Gross Receipts as of last Tax Year: \$ _____		✓	Fence	175,000

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Name and Address	MBE (Check if MBE)	WBE (Check if WBE)	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
I. All Subcontractors (MBEs, WBEs and Non-MBEs and Non-WBEs) subject to the requirements of General Conditions Article GC5.7.1				
Name: <u>Quality Erectors and</u> <u>construction</u> Address: <u>3130 Bayshore Road</u> <u>Benicia, CA 94510</u> California Contractor License No. <u>502736</u> DIR Contractor Registration No. <u>1000600887</u> Phone Number: <u>707-746-1233</u> Age of Firm: _____ Annual Gross Receipts as of last Tax Year: \$ _____			Prefab Building	83,000

DESIGNATION OF SUBCONTRACTORS AND M/WBE PARTICIPATION FORM

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Name and Address	MBE (Check if MBE)	WBE (Check if WBE)	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
I. All Subcontractors (MBEs, WBEs and Non-MBEs and Non-WBEs) subject to the requirements of General Conditions Article GC5.7.1				
Name: <u>Blocka Construction</u> Address: <u>4455 Enterprise St.</u> <u>Fremont, CA 94538</u> California Contractor License No. <u>679326</u> DIR Contractor Registration No. <u>100000047</u> Phone Number: <u>510-657-3686</u> Age of Firm: _____ Annual Gross Receipts as of last Tax Year: \$ _____		✓	Electrical	1,765,000

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Name and Address	MBE (Check if MBE)	WBE (Check if WBE)	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
I. All Subcontractors (MBEs, WBEs and Non-MBEs and Non-WBEs) subject to the requirements of General Conditions Article GC5.7.1				
Name: <u>VSS International</u> <hr/> Address: <u>3785 Channel Drive</u> <u>West Sacramento, CA 95691</u> <hr/> California Contractor License No. <u>293727</u> DIR Contractor Registration No. <u>1000001231</u> <hr/> Phone Number: <u>916-373-1500</u> <hr/> Age of Firm: _____ <hr/> Annual Gross Receipts as of last Tax Year: \$ _____			slurry	65,000

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Name and Address	MBE (Check if MBE)	WBE (Check if WBE)	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
I. All Subcontractors (MBEs, WBEs and Non-MBEs and Non-WBEs) subject to the requirements of General Conditions Article GC5.7.1				
Name: <u>Tom's Metal Specialists, Inc.</u> Address: <u>1416 Wallace Ave.</u> <u>San Francisco, CA 94124</u> California Contractor License No. <u>728525</u> DIR Contractor Registration No. _____ Phone Number: _____ Age of Firm: _____ Annual Gross Receipts as of last Tax Year: \$ _____			Metal Stairs	46,000

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Name and Address	MBE (Check if MBE)	WBE (Check if WBE)	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
I. All Subcontractors (MBEs, WBEs and Non-MBEs and Non-WBEs) subject to the requirements of General Conditions Article GC5.7.1				
Name: <u>Marina Landscape</u> <hr/> Address: <u>anaheim, CA</u> <hr/> California Contractor License No. <u>492862</u> DIR Contractor Registration No. _____ <hr/> Phone Number: _____ <hr/> Age of Firm: _____ <hr/> Annual Gross Receipts as of last Tax Year: \$ _____			Landscape/ Bioretention	91,000

DESIGNATION OF SUBCONTRACTORS AND M/WBE PARTICIPATION FORM

To comply with the requirements of the California Subletting and Subcontracting Fair Practices Act (California Public Contract Code Section 4100 et seq.), Bidder shall list in Part I of this form the name and address of each Subcontractor to whom Bidder proposes to subcontract more than ½ of 1% of the Work, description of portion of work or services subcontracted, total dollar amount of the portions of the work or services subcontracted, whether the Subcontractor is an MBE or WBE or both, and the California Contractor license number of the Subcontractor. An inadvertent error in listing a Subcontractor's California contractor license number may be corrected by Bidder within twenty four (24) hours after the Bid opening provided the corrected contractor's license corresponds to the submitted name and location for that Subcontractor. The above list of information shall be submitted with the Bid. Other information required in Part I herein may be submitted up to 24 hours after the designated time to submit the Bid. Bidder's attention is directed to Article GC5.7.1 of the General Conditions.

In addition, in Part II of this form list all MBEs and WBEs not subject to the requirements of General Conditions Article GC5.7.1.

Pursuant to Sections 1725.5 and 1771.1 of the State Labor Code, all Contractors and Subcontractors must be registered with the California Department of Industrial Relations (DIR) in order to be qualified to bid on this Contract or to be listed as a Subcontractor. An inadvertent error in listing a Subcontractor who is not registered pursuant to Section 1725.5 in a Bid, may be corrected by the Bidder within twenty four (24) hours after the Bid opening if the Subcontractor registers and pays the penalty registration fee described in Section 1725.5 of the State Labor Code. Alternatively, the Subcontractor may be replaced with a registered Subcontractor pursuant to Section 4107 of the Public Contract Code.

If a firm is owned and controlled by a Minority Woman or Minority Women, then the firm may be counted towards meeting both the MBE and WBE Availability Percentages. Accordingly, both MBE and WBE boxes should be checked.

Attach additional copies of this form if more space is needed and paginate the forms (i.e., Page 8 of 9)

Name and Address	MBE (Check if MBE)	WBE (Check if WBE)	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
I. All Subcontractors (MBEs, WBEs and Non-MBEs and Non-WBEs) subject to the requirements of General Conditions Article GC5.7.1				
Name: <u>OC Jones</u> <hr/> Address: <u>Berkeley, CA</u> <hr/> California Contractor License No. <u>759729</u> DIR Contractor Registration No. _____ <hr/> Phone Number: _____ <hr/> Age of Firm: _____ <hr/> Annual Gross Receipts as of last Tax Year: \$ _____			AC Paving AC Grinding	330,000

DESIGNATION OF SUBCONTRACTORS AND M/WBE PARTICIPATION FORM

To comply with the requirements of the California Subletting and Subcontracting Fair Practices Act (California Public Contract Code Section 4100 et seq.), Bidder shall list in Part I of this form the name and address of each Subcontractor to whom Bidder proposes to subcontract more than ½ of 1% of the Work, description of portion of work or services subcontracted, total dollar amount of the portions of the work or services subcontracted, whether the Subcontractor is an MBE or WBE or both, and the California Contractor license number of the Subcontractor. An inadvertent error in listing a Subcontractor's California contractor license number may be corrected by Bidder within twenty four (24) hours after the Bid opening provided the corrected contractor's license corresponds to the submitted name and location for that Subcontractor. The above list of information shall be submitted with the Bid. Other information required in Part I herein may be submitted up to 24 hours after the designated time to submit the Bid. Bidder's attention is directed to Article GC5.7.1 of the General Conditions.

In addition, in Part II of this form list all MBEs and WBEs not subject to the requirements of General Conditions Article GC5.7.1.

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If a firm is owned and controlled by a Minority Woman or Minority Women, then the firm may be counted towards meeting both the MBE and WBE Availability Percentages. Accordingly, both MBE and WBE boxes should be checked.

Attach additional copies of this form if more space is needed and paginate the forms (i.e., Page 9 of 9)

Name and Address	MBE (Check if MBE)	WBE (Check if WBE)	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
I. All Subcontractors (MBEs, WBEs and Non-MBEs and Non-WBEs) subject to the requirements of General Conditions Article GC5.7.1				
Name: <u>Sacramento Drilling</u> <hr/> Address: <u>Sacramento, CA</u> <hr/> California Contractor License No. <u>759193</u> DIR Contractor Registration No. _____ <hr/> Phone Number: _____ <hr/> Age of Firm: _____ <hr/> Annual Gross Receipts as of last Tax Year: \$ _____			Soldier Piles	62,000

Name and Address	MBE (Check if MBE)	WBE (Check if WBE)	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
II. All MBEs and WBEs not subject to the requirements of General Conditions Article GC5.7.1				
Name: _____ Address: _____ DIR Contractor Registration No. _____ Phone Number: _____ Age of Firm: _____ Annual Gross Receipts as of last Tax Year: \$ _____				
Name: _____ Address: _____ DIR Contractor Registration No. _____ Phone Number: _____ Age of Firm: _____ Annual Gross Receipts as of last Tax Year: \$ _____				
Name: _____ Address: _____ DIR Contractor Registration No. _____ Phone Number: _____ Age of Firm: _____ Annual Gross Receipts as of last Tax Year: \$ _____				

NONCOLLUSION DECLARATION

(To be executed by Bidder and submitted with Bid)

Christian Fassari, declares that he or she is Executive VP of Shimmick Construction Company, Inc.
(Bidder's Name) (Title) (Company's Name)

the party making the foregoing Bid, that the Bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the Bid is genuine and not collusive or sham; that the Bidder has not directly or indirectly colluded, conspired, connived, or agreed with any Bidder or anyone else to put in a sham Bid, or that anyone shall refrain from bidding; that the Bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix to the Bid Price of the Bidder or any other bidder, or to fix any overhead, profit, or cost element of the Bid Price, or of that of any other bidder, or to secure any advantage against the public body awarding the Contract of anyone interested in the proposed Contract; that all statements contained in the Bid are true; and, further, that the Bidder has not, directly or indirectly, submitted its Bid Price or any breakdown thereof, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham Bid.

I certify (or declare) under penalty or perjury under the laws of the State of California that the foregoing is true and correct.

Date: August 9, 2016

Shimmick Construction Company, Inc.

Name of Bidder

Christian P. Fassari

Signature of Bidder

(Attention is directed to General Conditions Article GC7.1.2
Fair Employment Practices, State Fair Employment and Housing Act.)

FAIR EMPLOYMENT PRACTICES CERTIFICATION

TO THE SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

The undersigned in submitting a Bid for performing the following work by contract, hereby certifies that it has or will meet the standards of affirmative compliance with the Fair Employment Practices Requirements of the Contract.

CONTRACT NO. 09AU-130

BART EARTHQUAKE SAFETY PROGRAM OAKLAND SHOPS SPUR TRACK

Shimmick Construction Company, Inc.

Name of Bidder

By: Christian P. Fassari

Signature of Bidder

Christian Fassari, Executive Vice President

Print Name and Title of Person Signing

8201 Edgewater Dr., STE 202, Oakland, CA 94621

Business Address

Oakland, CA

Place of Residence

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
CERTIFICATION REGARDING FINANCIAL CONTRIBUTIONS

(Submit with Bid)

Certification to be executed by Bidder and each proposed first-tier Subcontractor or subsupplier whose Subcontract exceeds \$100,000. Make additional copies of the Certification as necessary.

Bidder must use its best efforts to collect the Certification from each first-tier Subcontractor or subsupplier whose Subcontract exceeds \$100,000 and to submit such Certifications along with its own to the District on the Bid date.

Bidder is advised that all Certifications must be submitted on the Bid date unless there is reasonable cause for delay; however, Bidder is cautioned that unless all Certifications are submitted within five (5) Days after the date Bids are due, the Bid may be considered non-responsive. See Instructions to Bidders for submitting Certifications after the Bid due date.

The undersigned certifies that:

1. It will not make any monetary or in-kind contribution (including loans) to any BART Director, or any candidate for Director, in excess of \$1,000 from the date Bids are opened by the District until the Award of the Contract.
2. It understands that the term "contribution" shall have the same meaning as defined in California Government Code Section 82015 and implementing regulations adopted by the Fair Political Practices Commission.
3. If Bidder is awarded the Contract, the undersigned shall continue to comply with this prohibition for three (3) months following Award of the Contract.

Shimmick Construction Company, Inc.

Name of Firm

Christian P. Fassari

Signature

8/9/16

Date

Christian Fassari, Executive Vice President

Print Name and Title

BIDDER'S BOND

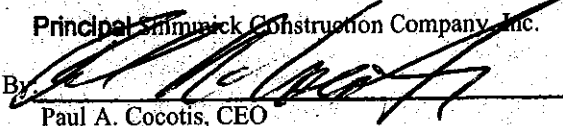
We Shimmick Construction Company, Inc. as PRINCIPAL, and as SURETY, are held and firmly bound unto the San Francisco Bay Area Rapid Transit District, hereinafter called the District, in the penal sum of **TEN PERCENT OF THE TOTAL BID PRICE** of the Principal above named, submitted by said Principal to the District, for the work described below, for the payment of which sum in lawful money of the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents.


The condition of this obligation is such that whereas the Principal has submitted the above-mentioned Bid to the District, for certain construction specifically described as follows, for which Bids are to be opened for Contract No. 09AU-130, BART EARTHQUAKE SAFETY PROGRAM OAKLAND SHOPS SPUR TRACK.

Now therefore, if the aforesaid principal is awarded the Contract, and, within the time and manner required under the Contract Specifications, after the prescribed forms are presented for signature, enters into a written Contract, in the prescribed form, in accordance with the Bid, and files the two bonds with the District, one to guarantee faithful performance and the other to guarantee payment for labor and materials, then this obligation shall be null and void; otherwise, it shall be and remain in full force and effect.

In the event suit is brought upon this bond by the District and judgment is recovered, the surety shall pay all costs incurred by the District in such suit, including a reasonable attorney's fee to be fixed by the court.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this 5th day of July, 2016.

Principal Shimmick Construction Company, Inc.
By  (SEAL)
Paul A. Cocotis, CEO

Surety Liberty Mutual Insurance Company
 (SEAL)
Jeff Parkhurst, Attorney-in-Fact

(Note: Signatures of those executing for the surety must be notarized.)